IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3658 of 2005

Between:

1 V.Balakotaiah S/o.Kondaiah
Chowtapalem (V), Ponnalur (M), Prakasam District.
2 Vennam Venkateswarlu S/o. China Kondaiah
Chowtapalem (V), Ponnalur (M), Prakasam District.

..... PETITIONERS

AND

1 The District Collector, Ongole Prakasam District.
2 The Joint Collector, Ongole, Prakasam District.
3 The Mandal Revenue Officer Poonalur Mandal, Prakasam District.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the third respondent in not considering the objections filed by the petitioners in respect of voters list issued on 9.2.2005 and taking steps to conduct elections as illegal, arbitrary, violation of principles of natural justice apart from violation of article 14 of the constitution of India and consequently direct the second respondent to consider the objections and then conduct elections and pass such other order or further orders.

Counsel for the Petitioners: MR.C.SRINIVASA BABA

Counsel for the Respondents1 to 3: G.P. FOR REVENUE

The Court at the stage of admission made the following

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.No.3658 of 2005

ORAL ORDER:

Heard both sides.

2. The writ petition is filed seeking Mandamus to declare the action of the third respondent-Mandal Revenue Officer, Ponnalur Mandal, Prakasam District, in not considering the objections filed by the petitioners in respect of voters list issued on 09-02-2005 and taking steps to conduct the elections, as illegal, arbitrary, violation of principles of natural justice apart from violation of the Article 14 of the Constitution of India and consequently to direct the second respondent-Joint Collector, Ongole, Prakassam District, to consider the objections of the petitioners and conduct elections.

3. The fact, which is not in dispute, is that the statutory appeal is provided under the provisions of the Andhra Pradesh Farmers' Management of Irrigation System Rules, 2003, and the said remedy has been availed by the petitioners.

4. In view of the said fact, I do not find any merit in the present writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed, at the stage of admission. No costs.

D.S.R. VARMA, J

28TH MARCH 2005

ISN

To

1 The District Collector, Ongole Prakasam District.
2 The Joint Collector, Ongole, Prakasam District.
3 The Mandal Revenue Officer Poonalur Mandal, Prakasam District.

4 Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

5 Two CD copies